

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
LITTLE ROCK DIVISION**

**DWIGHT ELLIS BROOKS**

**PLAINTIFF**

V.

**Case No. 4:12-cv-348- KGB**

**STACEY E. MCCORD  
DANIEL A. APPLEGATE  
SUSAN WEBBER WRIGHT**

**DEFENDANTS**

**ORDER**

On September 11, 2012, the Court entered an Order (Dkt. No. 8) directing plaintiff Dwight Ellis Brooks to respond to defendants' motion to dismiss (Dkt. No. 6). Because Mr. Brooks is proceeding *pro se*, the Court extended his deadline to file an opposition to defendants' motion to dismiss to September 25, 2012. The Court directed that the Order be sent to Mr. Brooks *via certified mail*. The mail addressed to Mr. Brooks at his address of record was returned to the Clerk as undeliverable (Dkt. No. 9). Mr. Brooks has failed to respond to the Court's Order.

Pursuant to Local Rule 5.5 (c)(2), it is the duty of any party not represented by counsel to promptly notify the Clerk and the other parties to the proceedings of any change in his or her address, to monitor the progress of the case, and to prosecute or defend the action diligently. If any communication from the Court to a *pro se* plaintiff is not responded to within thirty (30) days, the case may be dismissed without prejudice. Because he failed to notify promptly the Clerk and the other parties to the proceedings of any change in his address and failed to respond to the Court's Order, Mr. Brooks' pending claims against defendants are dismissed without prejudice.

Defendants' motion to dismiss (Dkt. No.6) is denied as moot, based on the dismissal without prejudice of Mr. Brooks' pending claims.

IT IS SO ORDERED this 23 day of October, 2012.

Kristine G. Baker

KRISTINE G. BAKER  
UNITED STATES DISTRICT JUDGE